

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**

**Part 7: Administrative Office of the Courts**

**Chapter 2: Certification and Licensing Programs**

**Section 7-210: Limited License Legal Practitioner**

**A. Definitions.** In addition to ACJA § 7-201(A), the following definitions apply:

“Board” means the Board of Nonlawyer Legal Service Providers.

“Experiential learning” means learning through a format such as an internship, externship or clinical experience during which students develop knowledge, skills, and values from direct experiences outside a traditional academic setting.

“Limited License Legal Practitioner” (“LLLP”) means an individual licensed pursuant to this section to provide legal services without the supervision of an attorney in the areas of law and within the scope of practice defined herein.

**B. Applicability.** This section applies to individuals who provide legal services within the exemption to the prohibition of the unauthorized practice of law set forth in Supreme Court Rule 31.3(e)(4) and this section. In order to qualify to provide legal services under the specified exemption pursuant to Rule 31.3(e)(4) and this section, limited license legal practitioners shall hold a valid license and perform their duties in accordance with subsection (F). A person shall not represent they are a limited license legal practitioner unless the person holds an active license as a limited license legal practitioner. This section is read in conjunction with ACJA § 7-201: General Requirements and the Arizona Rules of Supreme Court governing the practice of law. In the event of any conflict between the Arizona Rules of Supreme Court, ACJA § 7-201, and ACJA § 7-210, the Rules of Supreme Court shall govern.

**C. Purpose.** The supreme court has inherent regulatory power over all persons providing legal services to the public, regardless of whether they are lawyers or nonlawyers. Accordingly, this section is intended to result in the effective administration of the limited license legal practitioner licensing program.

**D. Administration.**

1. **Role and Responsibilities of the Supreme Court.** In addition to the requirements of ACJA § 7-201(D), the supreme court shall review recommendations from the board for licensure of applicants and make a final determination on the licensure of these applicants.
2. **Establishment and Administration of Fund.** The supreme court shall establish a limited license legal practitioner fund consisting of monies received for license fees, costs and civil penalties. The supreme court shall administer the limited license legal practitioner fund and shall receive and expend monies from the fund.

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3. Role and Responsibilities of the Division Staff. These responsibilities are contained in ACJA § 7-201(D).
4. Board of Nonlawyer Legal Service Providers. In addition to the requirements of ACJA § 7-201(D) the following requirements apply:
  - a. The Board of Nonlawyer Legal Service Providers is established, comprised of the following eleven members:
    - (1) Two certified legal document preparers;
    - (2) Two limited license legal practitioners,
    - (3) One judge or court administrator;
    - (4) One clerk of the superior court or designee;
    - (5) One attorney;
    - (6) Two public members; and
    - (7) Two additional members appointed by the chief justice of the supreme court.
  - b. The board shall issue licenses to qualified applicants pursuant to subsections (E)(2) and (3).

**E. Licensure.** In addition to the requirements of ACJA § 7-201(E)(1) – (5) the following requirements apply:

1. Necessity. A person shall not represent that the person is a limited license legal practitioner, or is authorized to provide legal services, without holding a valid license pursuant to this section.
2. Eligibility for Applying for a License.
  - a. All potential applicants for a license, in addition to meeting the requirements set forth in subsection (E)(3), shall meet the examination requirements of this subsection.
    - (1) Potential applicants for a license shall successfully pass the examination prior to submitting an application for licensure.
    - (2) Upon a potential applicant passing the examination, division staff shall forward notice to the potential applicant of the potential applicant's fulfillment of the examination requirement and provide the potential applicant with a license application form.
  - b. Administration of the Examination. In addition to the requirements of ACJA § 7-201(E):
    - (1) The examination for a license shall consist of a test on legal terminology, client communication, data gathering, document preparation, the ethical code for LLLPs, and professional and administrative responsibilities pertaining to the provision of

legal services, as identified through a job analysis conducted at the direction of the board. The examination shall be administered in a board approved format and delivery method.

- (2) Administration of reexaminations. These requirements are contained in ACJA § 7-201(E)(1)(f)(2).

### 3. Individual Licensing.

- a. Fingerprinting. Pursuant to ACJA § 7-201(E)(1)(d), an applicant shall furnish fingerprints for a criminal background investigation.
- b. Eligibility for License. The board shall grant a license to an applicant who possesses the following qualifications:
- (1) A citizen or legal resident of the United States;
  - (2) At least twenty-one years of age;
  - (3) Not been disbarred by the highest court in any state or denied admission to the practice of law in Arizona;
  - (4) Of good moral character;
  - (5) Complies with the laws, court rules, and orders adopted by the supreme court governing limited license legal practitioners in this state; and
  - (6) The applicant has successfully passed the limited license legal practitioner examination.
  - (7) The applicant shall also possess one of the following combinations of education or experience:
    - (a) A four-year Bachelor of Arts degree or Bachelor of Science degree from an accredited college or university in any subject and the following:
      - (i) An associate of arts degree in paralegal studies from a college approved by the court; or
      - (ii) A post-bachelor's certificate in paralegal studies from a college approved by the court; or
      - (iii) Has completed any certification program for limited license legal practitioners approved by the court; and
      - (iv) A minimum of:
        1. For the family law and civil practice endorsement: 3 credit hours in family law and 6 credit hours in civil procedures, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence, and a minimum of 120 hours of experiential learning;
        2. For the criminal law endorsement: 3 credit hours in criminal law, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence, and a minimum of 120 hours of experiential learning;
        3. For the administrative law endorsement: 3 credit hours in administrative law, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence, and a minimum of 120 hours of experiential learning;
        4. For all endorsements, a minimum of 3 credit hours in professional

responsibility.

- (b) A four-year Bachelor of Arts degree in Law from an accredited college or university and approved by the court that included the following coursework:
  - (i) For the family law and civil practice endorsement: 3 credit hours in family law and 6 credit hours in civil procedures, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence, and a minimum of 120 hours of experiential learning;
  - (ii) For the criminal law endorsement: 3 credit hours in criminal law, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence and a minimum of 120 hours of experiential learning;
  - (iii) For the administrative law endorsement: 3 credit hours in administrative law, 3 credit hours in advocacy, 3 credit hours in court procedure and evidence and a minimum of 120 hours of experiential learning;
  - (iv) For all endorsements, a minimum of 3 credit hours in professional responsibility.
- (c) A Master of Legal Studies (MLS) from an American Bar Association accredited law school; or
- (d) A degree from a law school accredited by the American Bar Association.

#### **F. Role and Responsibilities of Licensees.**

1. Authorized Services. A limited license legal practitioner is authorized to render legal services within the scope of practice defined in subsection (F)(2), without the supervision of an attorney, including:
  - a. Prepare and sign legal documents;
  - b. Provide specific advice, opinions, or recommendations about possible legal rights, remedies, defenses, options, or strategies;
  - c. Draft and file documents, including initiating and responding to actions, related motions, discovery, interim and final orders, and modification of orders and arrange for service of legal documents;
  - d. Appear before a court or tribunal on behalf of a party, including mediation, arbitration, and settlement conferences where not prohibited by the rules and procedures of the forum; and
  - e. Negotiate on behalf of a client in accord with the code of conduct.
2. Areas of Practice; Scope of Practice.

Family Law. Limited license legal practitioners may render authorized services in any domestic relations matter, except they may not represent any party in a matter that involves the following unless the limited license legal practitioner has met additional qualifications as established by the court.

- a. :
    - (i) Preparation of a Qualified Domestic Relations Order (QDRO) and supplemental orders dividing retirement assets;
    - (ii) Division or conveyance of formal business entities or commercial property;  
or
    - (iii) An appeal to the court of appeals or supreme court.
  - b. Limited Jurisdiction Civil. Limited license legal practitioners may engage in authorized services for parties in any civil matter before a limited jurisdiction court of this state.
  - c. Limited Jurisdiction Criminal. Limited license legal practitioners may render authorized services in criminal misdemeanor matters before a limited jurisdiction court of this state where, upon conviction, a penalty of incarceration is not at issue, whether by law or by agreement of the prosecuting authority and court.
  - d. Administrative Law. Limited license legal practitioners may engage in authorized services in a matter before any Arizona administrative agency that allows it. Limited license legal practitioners are not authorized to represent any party in an appeal of the administrative agency's decision to a superior court, the court of appeals, or the supreme court, except that the limited license legal practitioner may file an application or notice of appeal.
3. Code of Conduct. Each limited license legal practitioner shall adhere to the code of conduct in subsection J.
  4. Identification. A limited license legal practitioner shall include the practitioner's name, the title "Arizona Limited License Legal Practitioner" or the abbreviation "LLLP" and the limited license legal practitioner's license number on all documents prepared by the limited license legal practitioner, unless expressly prohibited by a non-judicial agency or entity. The limited license legal practitioner shall also provide the practitioner's name, title and license number to any person upon request.
  5. Notification of Discipline. A license holder who has been disbarred from the practice of law in any state since original licensure as a limited license legal practitioner shall provide the information regarding the disbarment to the board within 30 days of service of the notice of the disbarment.
  6. Notification of Denial of Admission. A license holder who has been denied admission to the practice of law in any jurisdiction since original licensure as a limited license legal practitioner shall provide the information regarding the denial to the board within 30 days

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of service of the notice of the denial.

**G. Complaints, Investigation, Disciplinary Proceedings, and Continuing Education.** The Supreme Court Rules governing complaints, investigations, discipline, sanctions, reinstatement, continuing education, and public access to state bar records are applicable to limited license legal practitioners, except

1. Rules 44, 63, and 66-69 are not applicable to limited license legal practitioners.
2. Rule 60(a)(1) is applicable to limited license legal practitioners, except that the term “revocation” shall replace the term “disbarment.”
3. Reinstatement proceedings under Rules 64 and 65, Rules of Supreme Court, related to disbarment shall be applicable to limited license legal practitioners whose licenses are revoked.

**H. Policies and Procedures for Board Members.** These requirements are contained in ACJA § 7-201(I).

**I. Continuing Education Policy.**

1. Purpose. Ongoing continuing education (“CE”) is one method to ensure limited license legal practitioner maintain competence in the field after licensure is obtained. Continuing education also provides opportunities for limited license legal practitioner to keep abreast of changes in the profession and the Arizona judicial system.
2. Applicability. All limited license legal practitioner shall comply with the continuing education requirements of Rule 45, Arizona Rules of Supreme Court.
3. Responsibilities of limited license legal practitioners.
  - a. It is the responsibility of each limited license legal practitioner to ensure compliance with the continuing education requirements, maintain documentation of completion of continuing education, and to submit the maintained documentation to the nonlawyer legal service provider program upon the request of the board or division staff.
  - b. Upon request, each limited license legal practitioner shall provide any additional information required by the board or division staff when reviewing renewal applications and continuing education documentation.

**J. Code of Conduct.** This code of conduct is adopted by the supreme court to apply to all limited license legal practitioners in the state of Arizona. The purpose of this code of conduct is to establish rules of professional conduct and minimum standards for performance by limited license legal practitioners.

1. Ethics. Each limited license legal practitioner is bound by Supreme Court Rule 42, Arizona Rules of Professional Conduct, except as follows:

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- a. TBD. [List the ER or ER subpart not applicable.]
  - b. TBD. [List the ER or ER subpart not applicable.]
  - c. TBD. [List the ER or ER subpart not applicable.]
2. Professionalism. Each limited license legal practitioner shall adhere to Supreme Court Rule 41(a) and (b).
  3. Trust Accounts. Each limited license legal practitioner shall adhere to Supreme Court Rule 43.
  4. Insurance Disclosures. Each limited license legal practitioner shall adhere to Supreme Court Rule 32(c)(13).
  5. Performance in Accordance with Law.
    - a. A limited license legal practitioner shall perform all duties and discharge all obligations in accordance with applicable laws, rules or court orders.
    - b. A limited license legal practitioner shall not represent the practitioner is authorized to practice law beyond the areas of practice and scope of practice as provided in subsections (F)(1) and (2).
    - c. A limited license legal practitioner shall not provide any kind of advice, opinion or recommendation to a consumer about possible legal rights, remedies, defenses, options, or strategies unless the practitioner has the license and subject matter area specific endorsement to do so.
    - d. A limited license legal practitioner shall inform the consumer in writing that a limited license legal practitioner is not a lawyer and cannot provide any kind of advice, opinion or recommendation to a consumer about possible legal rights, remedies, defenses, options, or strategies beyond what the practitioner is specifically licensed to provide authorized services for. A limited license legal practitioner shall not use the designations “lawyer,” “attorney at law,” “counselor at law,” “law office,” “JD,” “Esq.,” or other equivalent words, the use of which is reasonably likely to induce others to believe the limited license legal practitioner is authorized to engage in the practice of law beyond that allowed by the practitioner’s license and specific subject matter endorsements.

#### **K. Fee Schedule.**

1. Application Fees
  - a. Application Fee; Initial Licensure TBD
  - b. Late Fee TBD

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| c. Character Report   | TBD      |
| d. Fingerprint Application Processing. Rate set by Arizona law and subject to change.   |          |
| 2. Examination Fees   |          |
| a. New Applicants   | TBD      |
| b. Reexaminations   | TBD      |
| (For any applicant who does not pass the examination on the first attempt. The \$50.00 fee applies to each reexamination.)  |          |
| c. Reregistration for Examination   | TBD      |
| (For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)  |          |
| 4. Miscellaneous Fees.  |          |
| a. Application. Printed Application for Admission or character Report (materials available online for free)   | \$ 20.00 |
| b. NSF Fee  | \$ 40.00 |
| c. Document deficiency Fee: assessed if required supporting documents are not filed with application.   | \$100.00 |
| d. Replacement of License or Name Change  | \$ 25.00 |
| e. Public Record Request per Page Copy  | \$ .50   |
| f. Certificate of Correctness of Copy of Record   | \$ 18.00 |
| 5. Annual Dues for Arizona State Bar Affiliate Members. Each person licensed as a limited license legal practitioner is subject to the membership fees and requirements of Supreme Court Rule 32(c). Dues for State Bar Affiliate Membership are assessed separately. |          |